

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**ALICIA KNECHT**, individually and on  
behalf of all others similarly situated,

Case No. 3:19-cv-01991-AC

Plaintiff,

OPINION AND ORDER

v.

**LANPHERE ENTERPRISES, INC.**, a  
domestic corporation,

Defendant.

**MOSMAN, J.**,

On July 30, 2020, Magistrate Judge John V. Acosta issued his Findings and Recommendation (“F&R”) [ECF 38], recommending that this court grant Defendant’s Motion to Compel Arbitration [ECF 24]. No objections were filed. Upon review, I agree with Judge Acosta, and I GRANT the motion.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

### CONCLUSION

Upon review, I agree with Judge Acosta's recommendation and I ADOPT the F&R [38].  
I GRANT Defendant's Motion to Compel Arbitration [24].

IT IS SO ORDERED.

DATED this 19th day of August, 2020.

*Michael W. Mosman*

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MICHAEL W. MOSMAN  
United States District Judge